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Attorney for Intervenor Claimant  
ILIJA MATUSKO

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Approximately 69,370 Bitcoin (BTC), Bitcoin  
Gold (BTG), Bitcoin SV (BSV), and Bitcoin  
Cash (BCH) seized from  
1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx,

Defendant.

ILIJA MATUSKO,

Claimant.

Case No. CV 20-7811 RS

Judge: Hon. Richard Seeborg  
United States District Judge

**VERIFIED CLAIM AND STATEMENT  
OF INTEREST OF ILIJA MATUSKO  
PURSUANT TO 18 U.S.C. § 983(a)(4)(A)  
RULE C(6)(a) & G(5)(a),  
SUPPLEMENTAL RULES FOR  
ADMIRALTY OR MARITIME CLAIMS**

Judge: Hon. Richard Seeborg  
United States District Judge

**NOTICE OF CLAIM**

Pursuant to 18 United States Code, sections 983(a)(4)(A) and Rules C(6) and G(5) of the  
Federal Supplemental Rules for Admiralty or Maritime Claims or Forfeiture Actions, claimant  
Ilija Matusko ("Claimant"), by and through his counsel of record, Alexander Kugelman, hereby  
claims an interest in a portion of the defendant property that are the subject of this forfeiture  
action brought by the United States of America (the "United States").

**CLAIM**

1. Claimant is a citizen of the state of Germany. At all times relevant, Claimant has resided in Germany, he has and continues to be employed as a professional journalist, and for all relevant periods he has continuously resided in Germany.

2. Claimant is the original, rightful, and innocent owner of at least 48 bitcoins (not including any past or future bitcoin forks, including but not limited to BTG, BSV, BCH, etc.) of the 69,370 bitcoins (BTC) seized by the United States from public key / blockchain address 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx (“1HQ3 wallet”). In December 2011, Claimant legally purchased 48 BTC from a third party in Germany for approximately €150 Euros. In December 2011, Claimant opened a user account on the Silk Road website under the user identification “hanson5”. Claimant thereafter transferred these 48 BTC to the Silk Road public key / blockchain address / wallet that was associated with his user account. At no time did the Claimant purchase any items, legal or illegal, from the Silk Road website. The 48 BTC remained idle in the Claimant’s Silk Road account thereafter.

3. In October 2013 the FBI and other US law enforcement agencies (“United States Law Enforcement”) seized the Silk Road’s website, servers and any tangible assets and intangible assets that may have been associated with the Silk Road website that where within reach of United States Law Enforcement and the United States.

4. At the time of the United States Law Enforcement coordinated take down of the Silk Road website, the fair market value of one bitcoin was approximately \$133 per bitcoin.

5. Claimant was generally aware of this 2013 United States Law Enforcement action as it made headlines worldwide, that he most likely lost access to the user account and that he most likely lost access to his bitcoins. However, Claimant was unaware of any third-party rights under U.S. law to make a claim for his legally obtain bitcoins. Nor did United States ever notify

1 Claimant of his rights in the 2013 forfeiture action via direct notice or any other publication of  
2 information associated with his Silk Road user account.

3 6. In May 2021, due to the rapid increase in value of cryptocurrency, specifically  
4 BTC, Claimant sought advice from counsel in Germany about the possibility of recovering the 48  
5 bitcoins from the original United States Law Enforcement take down of the Silk Road  
6 marketplace. The average fair market value of BTC in May of 2021 was approximately \$42,450  
7 per BTC. The current fair market value of BTC is approximately \$34,020.

9 7. On November 5, 2020, the United States Government filed a complaint for  
10 forfeiture involving the seizure of approximately 69,370 BTC, BTG, BSV and BCH from 1HQ3  
11 wallet. From this filing and related court filings it is clear that the source of the 69,370 BTC, BTG,  
12 BSV, BCH was ultimately from the Silk Road market place that eluded United States Law  
13 Enforcement and United States seizure efforts in 2013.

15 8. Also on November 5, 2020, the United States Government filed a notice of  
16 forfeiture action seeking forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), 981(b),  
17 and 21 U.S.C. § 881(a)(6) in the United States District Court for the Northern District of California  
18 against the *in rem* defendant, approximately 69,370 Bitcoin (BTC), Bitcoin Gold (BTG), Bitcoin SV  
19 (BSV), and Bitcoin Cash (BCH) seized from 1HQ3 wallet.

20 9. This filing states all persons asserting an interest in or claim against the defendant  
21 and who received direct notice of the forfeiture action must file a verified claim with the Clerk of  
22 this Court pursuant to Rule 5(g) of the Supplemental Rules for Admiralty or Maritime and Asset  
23 Forfeiture Claims, within thirty-five (35) days after the notice is sent; or if notice was published but direct  
24 notice was not sent to the claimant or the claimant's attorney, a claim must be filed not later than sixty (60)  
25 days after the first day of publication on an official internet government forfeiture website  
26 ([www.forfeiture.gov](http://www.forfeiture.gov)); or within the time that the court allows (emphasis added).  
27  
28

1           10.     At no time did the Claimant receive direct notice from the government even  
2 though he may have an interest in the intangible assets seized by the government in this civil  
3 forfeiture action.

4           11.     At no time was the Claimant aware of this civil judicial forfeiture action, even  
5 though it was published on [www.forfeiture.gov](http://www.forfeiture.gov). The Claimant only recently became aware,  
6 specifically June 8, 2021, of this civil judicial forfeiture action when advised by counsel of record  
7 of this specific pending judicial forfeiture.

8           12.     On information and belief, Claimant believes that this seizure by the United States  
9 from 1HQ3 wallet includes at least 48 BTC (not including any past or future bitcoin forks,  
10 including but not limited to BTG, BSV, BCH, etc.), associated with the Claimant's Silkroad user  
11 account "hanson5".

12           13.     Claimant contests forfeiture of the Defendants Property, as it relates to at least 48  
13 BTC (not including any past or future bitcoin forks, including but not limited to BTG, BSV,  
14 BCH, etc.), in this action and seeks the return of the Property (and any other portion of Defendant  
15 property that belongs to Claimant due to past or future bitcoins forks including but not limited to  
16 BTG, BSV, BCH, etc.) to Claimant as original, rightful, and innocent owner of such property.

17           14.     As a result a claim pursuant to Rule G(5) of the supplemental Rules for Admiralty  
18 or Maritime and Asset Forfeiture Claims is being filed.

19           Dated: June 23, 2021

20           Respectfully submitted,

21           Kugelman Law, P.C.

**VERIFICATION**

I, Ilija Matusko, hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Dated: June 30, 2021



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ILIJA MATUSKO  
*Claimant*

Represented by:

Dated: June 30, 2021

Kugelman Law, P.C.

/s/ Alexander H. Kugelman  
ALEXANDER H. KUGELMAN

*Attorney for Intervenor Claimant  
Ilija Matusko*

**CERTIFICATE OF SERVICE**

I, Alexander H. Kugelman, hereby certify that I have electronically filed the above-captioned document with the Clerk of the Court using the CM/ECF system, which will automatically send an e-mail notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: June 30, 2021

Respectfully submitted,

/s/ Alexander H. Kugelman.  
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*Attorney for Intervenor Claimant  
Ilija Matusko*